

REMARKS/ARGUMENTS

Claims 13-15, 23-24 and 27 are active in this application, Claims 1-12 having been canceled and claims 16-22 and 25-26 being withdrawn by the Examiner due to restriction. Claims 13 and 24 have been amended to specify that the insulation product of the present invention comprises mineral wool. This amendment is supported by the specification at page 14, line 7. No new matter has been added by this amendment.

The present invention relates to a thermal or acoustic insulation product comprising mineral wool and comprising at least 1% by weight of a cured organic resin. The product is required to release less than 50 mg/kg of formaldehyde and less than 50 mg/kg of methyl isocyanate when heated to 350°C for at least 15 minutes and the product is required to be usable at temperatures above 150°C.

Applicants have previously provided an excerpt from “Phenolic Resins” which provided further information regarding the difference between insulation products such as the thermal or acoustic insulation product and one of the products such as those in the prior art cited by the Examiner. In particular, products that are insulation products comprise mineral wool and an organic resin which locks intersecting fibers into a mass by bonding the fibers as they cross an overlay. Such products are normally bulky and voluminous and are compressed into packages for shipment and sale. However, once the package is opened the insulation product regains its original thickness after unfolding. The organic resin provides the ability to have the fibers locked together but having flexibility in the final product.

Claims 13-15, 23-24 and 27 stand rejected under 35 U.S.C. § 102(b) over Marchetti et al. Marchetti et al. discloses flame retardant B staged epoxy resin prepregs and laminates from these. In particular, these prepregs are glass cloth laminates which are impregnated with epoxy resin and used in the printed circuit industry to make high grade copper clad circuit boards (see column 1, lines 7-9). In preparing the glass cloth, Marchetti only teach the

preparation of a woven glass fabric. Such a woven glass fabric requires the use of glass fibers of sufficient length for weaving. Glass wool, as required in the present invention, CANNOT fit that bill.

Applicants provide herewith excerpts from Webster's Dictionary which provide the definition of mineral wool, glass wool and rock wool. As noted in these definitions, mineral wool (which includes glass wool and rock wool) is a mass of fibers resembling cotton batting. Such a material cannot be used to weave a glass fiber fabric. In order to accomplish such a feat, the mineral wool would have to be extensively processed to form a yarn of some sort, which is NOT what is claimed in the present invention.

The preregs of Marchetti are formed by impregnating the resin composition into a porous substrate such as paper or fibrous woven glass cloth and then heated to provide a dry, but not completely cured, prepreg. (While Marchetti makes a single mention of "woven or unwoven", the rest of the disclosure only describes the use and preparation of preregs using the woven glass cloth, and in particular states that use of woven fibrous glass cloth is most preferred as it makes the strongest copper clad laminates. See column 8, lines 64-68) These preregs are then stacked in a press and cure laminated to make laminates of multiple layers. As disclosed in Marchetti, as well as in the previously provided paper from "Phenolic Resins", these laminates are used in the manufacture of printed circuit boards with the laminate being a thin, nonporous and relatively homogenous material. Such a structure cannot suggest the thermal and/or acoustic insulation product of the present invention since the phrase "thermal insulation or acoustic insulation" as used in the present invention has a defined meaning in this art and cannot be confused with a laminate as taught by Marchetti et al., which is a rigid dense structure containing amounts of resin, as commented by the Examiner, on the order of 75% or greater of the final product. Such a product would not function as a thermal or acoustic insulation product as required in the present claims and one

of ordinary skill in the art would not see these two completely different items as being related.

Accordingly, since Marchetti nowhere discloses or suggests the use of mineral wool as the basis for their laminates, and one of ordinary skill would never confuse a laminate as in Marchetti with the thermal or acoustic insulation product of the present invention, Marchetti cannot anticipate the present invention and cannot render it obvious. Accordingly, this rejection should be withdrawn.

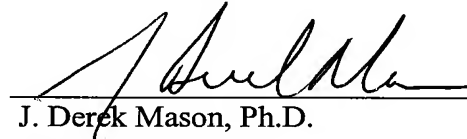
The claims stand provisionally rejected for obviousness-type double patenting over Claims 1, 4, 13-15 and 17-18 of co-pending application 10/578,571. The claims of the co-pending application cannot render the claims of the present invention obvious as the only relationship between the claims of the co-pending application and that of the present invention is that the co-pending application claims a sizing composition for insulation products which happens to have an epoxy resin of a glycidyl ether present. However, the co-pending application claims require additional components which are not required in the present invention and the co-pending application claims make no suggestion regarding the required maximum levels of release of formaldehyde or methyl isocyanate required in the present invention upon heating to 350°C.

Additionally, Applicants again note that the present application is based upon a PCT application of July 9, 2003 and was filed in the United States August 31, 2005 well before the U.S. filing date of the co-pending application and having a PCT filing date prior to the co-pending application's PCT filing date. Since the claims of the co-pending application have not been allowed, and in fact have not received an official action, the Examiner is requested to follow the procedures set forth in the MPEP in allowing the present application to pass to issue and make a corresponding obviousness-type double patenting rejection in the co-pending application, if applicable or appropriate.

Applicants submit that the application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

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MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to read "J. Derek Mason", is written over a horizontal line.

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Webster's
Third
New International
Dictionary
OF THE ENGLISH LANGUAGE
UNABRIDGED

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*Utilizing all the experience and resources of more than
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AND
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1964

[illegible]

tion from the rearward discharge of gases liberated by combustion and used as an impulsive or explosive force or as a propelling unit (as for a life-saving line or a whaling harpoon). **also** rocket engine or rocket motor: a jet engine that operates on the same principle as the firework rocket, that consists essentially of a combustion chamber and an exhaust nozzle, that carries either liquid or solid propellant which provides the fuel and oxygen needed for combustion and thus make the engine independent of the oxygen of the air, and that is used exp. for the propulsion of a missile (as a bomb or shell) or a vehicle (as an airplane or automobile) **5**: a rocket-propelled bomb, missile, or other projectile **6** chiefly Brit.: a rocket

rocket *v* **1**: to attack with rockets (bombing, strafing, and *etc.*) **2**: to convey by means of a rocket (as a satellite into orbit) **3**: to bring into prominence (coal) **4**: suddenly **5** *Am. Guide Series: Va.* **6** *v* **1**: to rise straight up and swiftly when flushed — used esp. of pheasants **2** *Am.* **3** *v* **1**: to rise up swiftly, spectacularly, and with force (as to a point of almost overnight) **2**: to travel rapidly (the silence) **3**: to come back into their own and *etc.* off to the next live account — Richard Russell (faster and faster the tons of marble — down the valley — Jackson Phillips) **4** *v* **1**: to see

rocket bomb *n*: a small bomb designed for release at low altitude and equipped with rocket apparatus for giving it added momentum **2**: a rocket-propelled bomb launched from the ground

rocket candy *n*: a European candy (Iberia *amara*) having large and full flowers

rocket grass *n*: a winter grass (*Barbarea vulgaris*)

rocketeer *n*: a person who fires, pilots, or rides in a rocket **2**: a scientist who specializes in rocketry

rocket *v* **1**: to design or construct rockets

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rocking horse *n*: a toy consisting of a figure of a horse mounted on rockers or on a mechanism permitting rocking, on which a child may sit and rock — called also *hobbyhorse*



rocking horse

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